

**IN THE COURT OF THE PRINCIPAL DISTRICT AND  
SESSIONS JUDGE, CHENGALPATTU.**

Present : Thiru. T.Chandrasekaran, M.L.,  
Principal District and Sessions Judge,  
Chengalpattu.

Date: Monday, the 16<sup>th</sup> day of March 2026.

**Crl.M.P. No.365 of 2026 in Crl.M.P. No.2410 of 2023**  
(CNR. No. TNCG01-000676-2026)

M.Sulaiman Sait, aged 36 years, S/o.Mohammed Adam  
Flat No.1104, Tiana, Hiranandani Apartments,  
Egattur, Chennai - 603 103.

.. Petitioner/Accused A2

**//Versus//**

1. State of Tamilnadu,  
Rep. by the Inspector of Police,  
EDF-III, CCB, Tambaram Commissionerate,  
Sholinganallur, Chennai.

2. State of Tamil Nadu,  
Rep. by the Inspector of Police,  
Semmanchery Police Station  
Cr. No.90 of 2023

.. Respondent/  
Complainant

This petition coming on 09<sup>th</sup> day of March, 2026 for hearing before me, M/s.S.Ganesan, M/s.Colonel & Ganesan Associates, the learned counsels appearing for petitioner/accused and M/s.R.Thirumurugan, the learned Public Prosecutor appearing for the Respondent/Complainant, upon perusal of records and having stood over the matter for consideration till this day, this Court delivered the following

**ORDER**

This application has been filed by the petitioner/accused, praying for a direction to the learned District Munsif cum Judicial Magistrate, Sholinganallur to return the Original passport bearing No.L9174262 to the petitioner/accused, which was deposited before the court as per the order of this court in Crl.M.P. No.2410 of 2023 dated 01.06.2023.

2. The learned counsel appearing for the petitioner/accused would

submit that the petitioner/accused was arrested by the respondent police in connection with Cr. No.90 of 2023 for the alleged offences U/s.406, 420, 120(B) of IPC, subsequently, he filed an application seeking bail before this court in Crl.M.P. No.2410 of 2023. While granting bail to the petitioner/accused, on 01.06.2023, this court imposed certain conditions to the petitioner. One such condition is ***'The Petitioner is directed to surrender his Original Indian passport before the Judicial Magistrate No.I, Alandur'***. Accordingly, in compliance of the said order, the petitioner/accused has surrendered his original Passport having No.L9174262 to the custody of the learned Judicial Magistrate.

3. The learned counsel for the petitioner would further submit that now the Investigating Officer has completed his investigation in the above case and submitted his Final Report U/s.173(2) of BNSS, 2023, dropping further action against the petitioner, vide C.C. No.3 of 2025 before the learned District Munsif cum Judicial Magistrate, Sholinganallur. Since the further action against the petitioner has been dropped, the petitioner is entitled to returned back his Original Indian Passport, which was deposited before the Judicial Magistrate's Court at the time of enlarging on bail. Hence, he filed this petition seeking custody of his Original Passport.

4. The learned Public Prosecutor would submit that initially seven accused are implicated in this case as A1 to A7 and this present petitioner has been arrayed as A2. However, upon investigation, the investigating officer has filed a special report stating that the accused A2 to A7 have not committed any offence hence the A2 to A7 have been dropped from the case. Accordingly, Charge sheet has been filed before the learned District Munsif cum Judicial Magistrate at Sholinganaur against A1 alone. Hence, he has not raised any serious objection.

5. On perusal of records and from the submissions it appears that on compliance of condition imposed by this court, the petitioner/accused had surrendered his Original Passport before the learned Judicial Magistrate No.II, Alandur. However, upon inaugurating the new District Munsif cum Judicial Magistrate's Court at Sholinganallur, the case records along with the original passport appears to have been transferred to the file of the learned District Munsif cum Judicial Magistrate, Sholinganallur.

6. More so, from the submissions of the learned Public Prosecutor it is seen, the investigation officer has completed investigation and filed Final Report before the learned Judicial Magistrate by dropping this petitioner (A2) from the charges. Under such juncture, keeping the petitioner's original passport into the case records will not serve any judicial purposes. Therefore, this court has no hesitation to allow the present petition.

7. Therefore, considering the submissions made by the learned counsel for the petitioner and also the facts and circumstances of the case, this court is inclined to return the original Passport having No.L9174262, to the custody of the petitioner.

**8. In the result, this petition is allowed. The District Munsif cum Judicial Magistrate, Sholinganallur is directed to return the petitioner's original Indian Passport having No.L9174262 to the custody of the petitioner, on proper identification.**

*Pronounced by me in the open Court, on this the 16<sup>th</sup> day of March 2026.*

Principal District and Sessions Judge,  
Chengalpattu.

To  
The District Munsif cum Judicial Magistrate, Sholinganallur.  
The Inspector of Police, EDF-III, CCB, Tambaram Commissionerate.